

AO 133

(Rev. 8/06) Bill of Costs

## UNITED STATES DISTRICT COURT

Middle

District of

Alabama

David Davis

## BILL OF COSTS

V.

City of Phenix City, et al

Case Number: 3:06-CV-0544-WHA

Judgment having been entered in the above entitled action on 3/7/2008 against Plaintiff, David Davis,  
 Date the Clerk is requested to tax the following as costs:

Fees of the Clerk .....	\$ 0.00
Fees for service of summons and subpoena .....	0.00
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case .....	124.10
Fees and disbursements for printing .....	0.00
Fees for witnesses (itemize on page two) .....	68.80
Fees for exemplification and copies of papers necessarily obtained for use in the case .....	0.00
Docket fees under 28 U.S.C. 1923 .....	0.00
Costs as shown on Mandate of Court of Appeals .....	0.00
Compensation of court-appointed experts .....	0.00
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828 .....	0.00
Other costs (please itemize) .....	5,538.55
TOTAL	\$ 5,731.45

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

## DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill has been served on all parties in the following manner:

- ☒ Electronic service by e-mail as set forth below and/or.  
☐ Conventional service by first class mail, postage prepaid as set forth below.

s/ Attorney: James R. McKoon, Jr.

Name of Attorney: James R. McKoon, Jr.

For: City of Phenix City

Date: 4/7/2008

Name of Claiming Party

Costs are taxed in the amount of \_\_\_\_\_ and included in the judgment.

Clerk of Court

By:

Deputy Clerk

Date

**WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)**

## NOTICE

"Sec. 1924. Verification of bill of costs."

**See also Section 1920 of Title 28, which reads in part as follows:**

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

**The Federal Rules of Civil Procedure contain the following provisions:**

**Rule 54 (d)**

“Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day’s notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court.”

### Rule 6(e)

“Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period.”

### Rule 58 (In Part)

**"Entry of the judgment shall not be delayed for the taxing of costs."**

**ITEMIZATION OF COSTS**

1.	Portion of Court Reporter transcript used at Trial	\$ 124.10
2.	Witness Fee, William Pitts	\$ 68.80
3.	Copies – 2592 copies of items responsive to Plaintiff's Second Request for Production of Documents (Plaintiff has previously paid for his copies, but not for copies that had to be produced for Defendants)	\$1,296.00
4.	Copies – 1890 copies for 15 Exhibit books	\$ 945.00
5.	Court Reporter fees for depositions and transcription testimony of David Davis' Personnel Review Board Hearing (see attached invoices for depositions referenced at trial)	<u>\$3,297.55</u>
	Total	\$5,731.45

## INVOICE

Risa L. Entrekin  
Official Court Reporter  
U.S. District Court  
Middle District of Alabama  
P.O. Box 5112  
Montgomery, AL 36103-5112

(334) 240-2405

March 11, 2008

Mr. James Robert McKoon, Jr.  
Attorney at Law  
McKoon, Thomas & McKoon  
P.O. Box 3220  
Phenix City, AL 36868

IN RE: Davis v. Phenix City  
Case No. 2:06cv544-WHA  
Excerpt of Jury Trial Proceedings, 3/3/08

Transcript in the above-styled cause  
Original (filed) and one copy

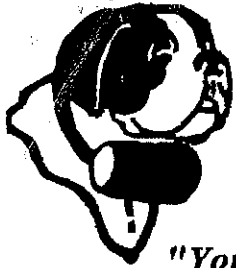
34 pages @ \$3.65     \$ 124.10

Transcript ordered 3/4/08  
Transcript delivered (rough draft) 3/4/08  
Transcript filed (final) 3/11/08

I certify that the transcript fees charged and page format used comply with the requirements of this Court and the Judicial Conference of the United States.

/s/ Risa L. Entrekin  
Registered Diplomat Reporter  
Certified Realtime Reporter

Please make check payable to Risa L. Entrekin



**Causey Peterson Reporting**  
 22 West Fifth Street 31901  
 Post Office Box 81  
 Columbus, Georgia 31902

*"Your First Responder for Litigation Support"*

# INVOICE

DATE	INVOICE #
11/20/2007	2361

<b>BILL TO:</b>
Mr. James R. McKoon, Jr. McKoon, Thomas & McKoon 925 Broad Street Post Office Box 3220 Phenix City, Alabama 36868-3220

<b>CASE/STYLE:</b>
David Davis vs. City of Phenix City, Alabama; United States District Court, Middle District of Alabama, Eastern Division; Case No. 3:06-CV-0054-VPM.

TERMS	REPORTER	TAX ID #
Due on recpt	SW	73-1700850

DESCRIPTION	AMOUNT
Copies of the expedited depositions of Jeffery Hardin, Lloyd Bush, Wallace Hunter, H. H. Roberts, Arthur Sumbry, Kenneth Johansen, Kristin Kennedy, Mickeal Hanson, Kerry Bragg and Brandon Sheets, taken on November 6 & 7, 2007, at the offices of City Hall, Phenix City, Alabama.	
<input checked="" type="checkbox"/> Expedited copy (Hardin)	117.60
<input checked="" type="checkbox"/> Expedited copy (Bush)	159.60
<input checked="" type="checkbox"/> Expedited copy (Hunter)	252.00
<input checked="" type="checkbox"/> Expedited copy (Roberts)	222.60
<input checked="" type="checkbox"/> Expedited copy (Sumbry)	63.00
<input checked="" type="checkbox"/> Expedited copy (Johansen)	163.80
<input checked="" type="checkbox"/> Expedited copy (Kennedy)	92.40
<input checked="" type="checkbox"/> Expedited copy (Hanson)	58.80
<input checked="" type="checkbox"/> Expedited copy (Bragg)	75.60
<input checked="" type="checkbox"/> Expedited copy (Sheets)	189.00
<input checked="" type="checkbox"/> ASCII/PDF Disk	10.00
Condensed Version (Always Complimentary)	0.00
Thank you for your business.	<b>Total</b> \$1,404.40

Phone:	Fax:	E-MAIL ADDRESS:
(706) 317-3111	(706) 660-8123	causeypeterson@bellsouth.net



APR 6 2008 11:45PM BMA CHAMBERS  
Case 3:06-cv-00544-VHA-WC Document 163 Filed 04/07/2008 Page 6 of 7  
**Causey Peterson Reporting**  
*causeypeterson@bellsouth.net*  
**22 West Fifth Street 31901**  
**Post Office Box 81**  
**Columbus, Georgia 31902**

**PH: 706-317-3111 FAX: 706-660-8123**

# INVOICE

DATE	INVOICE #
4/13/2007	1748

BILL TO:	CASE/STYLE:
Mr. James P. Graham, Jr. The Graham Legal Firm 712 13th Street Phenix City, Alabama 36868	David Davis vs. City of Phenix City, Alabama; United States District Court, Middle District of Alabama, Eastern Division; Case No. 3:06-CV-0054-VPM.

TERMS	REPORTER	TAX ID #
Due on recpt	SW	73-1700850

DESCRIPTION	AMOUNT
Original deposition of David Davis and copies of the depositions of Jeffrey S. Hardin, Wallace B. Hunter, Sr., Roland L. Waters, H.H. Roberts and Barbara Goodwin, taken on April 4 & 5, 2007, at the offices of City Hall, Phenix City, Alabama.	
✓ Original & Copy (Davis)	881.25
✓ Copy (Hardin)	291.45
✓ Copy (Hunter)	388.60
Copy (Waters)	160.80
✓ Copy (Roberts)	345.05
Copy (Goodwin)	170.85
Appearance Fee	80.00
Read & Sign Fee (Davis)	10.00
ASCII Disk	10.00
Condensed Version (Always Complimentary)	0.00
Thank you for your business.	<b>Total \$2,338.00</b>

**REALTIME / VIDEO / E-TRANSCRIPT / EXHIBIT SCANNING / CONDENSING & WORD INDEXING**  
**TELEPHONIC DEPOSITIONS & COMPLIMENTARY CONFERENCE ROOM**

Catherine Lipscomb  
Official Reporter  
26th Judicial Circuit  
501 14th Street - 2nd Floor  
Phenix City, AL 36867  
(334) 291-9716

**STATEMENT**

**Date:** February 28, 2008

**To:** James McKoon, Esq.  
925 broad Street  
Phenix City, Alabama

**From:** Catherine Lipscomb  
Official Reporter  
Russell County  
Phenix City, AL

Transcript of testimony of David Paul Davis in  
Personnel Review Board Hearing held on  
May 16, 2006

**Total due**

**\$ 500**

*Paid*  
*CD*